

FILED
DISTRICT COURT OF GUAM

JAN 08 2008

JEANNE G. QUINATA
Clerk of Court

1 LEONARDO M. RAPADAS
2 United States Attorney
3 ROSETTA L. SAN NICOLAS
4 Assistant U.S. Attorney
5 Suite 500 Sirena Plaza
6 238 Archbishop Flores Street
7 Agana, Guam 96910
PHONE: 472-7332
FAX: 472-7334

8 Attorneys for the United States of America

9 IN THE UNITED STATES DISTRICT COURT

10 FOR THE TERRITORY OF GUAM

11 UNITED STATES OF AMERICA,) CRIMINAL CASE NO. 07-000073
12) Plaintiff,
13)
14 vs.
15)
16 JUNE GONZAL QUINDO, JR.)
17 Defendant.
18

19 **Government's Motion based on 3E1.1(b)**

20 The United States hereby moves this Honorable Court for a departure from the Guidelines
21 total offense level of 24 to 21, as provided by USSG Section 3E1.1(b), on the basis that
22 defendant has assisted authorities in the investigation or prosecution of his own misconduct by
23 timely notifying authorities of his intention to enter a plea of guilty. As such, the Government
24 has avoided preparing for trial and the defendant has permitted both the Government and the
25 Court to allocate their resources efficiently. The United States moves to decrease the offense
26 level by to level to **21**.

27 **Government's Motion based on 5K1.1**

28 The United States hereby moves this Honorable Court for a downward departure from the

1 Guidelines to a total offense level of **19**, as provided by the USSG Section 5K1.1, on the basis
2 that defendant has rendered substantial assistance to the government in its investigation of
3 unlawful firearms trafficking on Guam.

4 The government is filing under seal a separate justification concerning the details of that
5 cooperation. Defendant's present offense level of 21 calls for a range of 37-46 months
6 incarceration. The government is recommending that the defendant's total offense level be
7 reduced by two levels to **19**, which provides for a range of 30-37 months incarceration. The
8 government is recommending that defendant receive 30 months incarceration.

9 RESPECTFULLY SUBMITTED this 8th day of January, 2008.

10 LEONARDO M. RAPADAS
11 United States Attorney
12 Districts of Guam and CNMI

13 By:

14 
15 ROSETTA L. SAN NICOLAS
16 Assistant U.S. Attorney

17
18
19
20
21
22
23
24
25
26
27
28